

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Meyer et al.

§ 100.00

Group Art Unit: 2157

Serial No.: 09/633,087

Examiner: Burgess, Barbara N.

Filed: August 4, 2000

Attorney Docket: 5500-98300

For: IMPLEMENTING LOCKS IN  
A DISTRIBUTED  
PROCESSING SYSTEM

\*\*\*\*CERTIFICATE OF E-FILING TRANSMISSION\*\*\*\*

I hereby certify that this correspondence is being transmitted via  
electronic filing to the United States Patent and Trademark Office  
on the date shown below

Mario J. Lewin  
Printed Name

/ Mario J. Lewin / January 31, 2008  
Signature Date

## PETITION TO WITHDRAW HOLDING OF ABANDONMENT BASED ON FAILURE TO RECEIVE OFFICE ACTION

Applicant hereby submits this Petition in the above-identified application. The records of the U.S. Patent Office indicate Applicant did not respond within the statutory period of six months from the date of an Office Action apparently mailed on or about June 10, 2007 (according to information provided by the Examiner to Applicant's undersigned representative in a telephone communication on December 21, 2007).

As stated to the Examiner in the December 21, 2007 telephone call, as well as a follow up telephone call on January 9, 2008, Applicant did not receive the Office Action mailed on or about June 10, 2007. Attached hereto is a true and correct copy of the docket record of the undersigned with regard to the subject application. The undersigned has no record of receipt of an Office Action mailed on or about June 10, 2007 with regard to the above-identified application

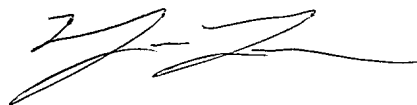
**Applicant believes the Office Action was not received because the Patent Office indicated the wrong correspondence address for this application.** Applicant filed a Notice of Change of Address on October 5, 2003, to attempt to change the Applicant's correspondence address (copy attached, along with date-stamped postcard receipt). However, upon researching

the file, Applicant notes from correspondence received from the U.S. Patent and Trademark Office that Applicant's address had not been changed from previous counsel. Applicant therefore believes the Office Action may have been sent to the wrong address due to an error by the Patent Office.

Applicant has also enclosed a Statement of Facts and respectfully requests entry of this Response in the application and requests that the Notice of Abandonment be withdrawn. Applicant further requests that a correctly addressed and redated Office Action be mailed to the addressee currently of record.

If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5500-98300.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mario J. Lewin', with a long horizontal flourish extending to the right.

Mario J. Lewin  
Reg. No. 54,268  
ATTORNEY FOR APPLICANT(S)

Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C.  
P.O. Box 398  
Austin, Texas 78767-0398  
Phone: (512) 853-8800  
Date: January 31, 2008